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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,294	08/04/2000	Tal Isaac Lavian	NOR-089	1868
32836	7590	01/20/2006		
GUERIN & RODRIGUEZ, LLP 5 MOUNT ROYAL AVENUE MOUNT ROYAL OFFICE PARK MARLBOROUGH, MA 01752			EXAMINER DALENCOURT, YVES	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/632,294

Applicant(s)

LAVIAN ET AL.

Examiner

Yves Dalencourt

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-30 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-15 and 17-24 is/are rejected.
- 7) ☒ Claim(s) 3 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This office action is responsive to amendment after final filed on 12/20/2005. The finality of the last office action has been withdrawn by the examiner. Thus, the prosecution of this application has been reopened.

#### ***Response to Amendment***

The examiner has acknowledged Applicant's response.

#### ***Response to Arguments***

Applicant's arguments, see amendment, filed on 12/20/05, with respect to claims 1 – 24 and 26 - 30 have been fully considered and are persuasive. The 35 USC § 103 rejection of claims 1 - 24 and 26 – 30 has been withdrawn.

#### ***Claim Rejections - 35 USC § 112***

Claim 10 recites the limitation "the relationship" in line 1. There is insufficient antecedent basis for this limitation in the claim. A relationship has not previously been identified in the claims.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the

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subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henderson et al (U.S. 6,058,103; hereinafter Henderson) in view of Agesen et al (US 6,253,215; hereinafter Agesen).

Regarding claims 1, 5 - 8, 11 - 14, and 18 – 24, Henderson teaches a method and apparatus of interfacing with network management information on a network device (fig. 1A), which comprises the steps of receiving a non-object oriented management information database (MIB) at a compiler of a network device, the non-object oriented MIB including information related to one or more aspects of the network device (abstract; col. 2, lines 31 – 51; col. 3, lines 12 - 31); extracting a subset of information from the non-object oriented MIB describing at least one aspect of the network device (col. 4, lines 19 - 34).

Henderson substantially teaches the claimed invention, except for the idea of producing an object-oriented interface, for use by an object-oriented application to access the subset of information in the non-object oriented MIB, generating a set of object-oriented classes and object-oriented methods corresponding to the subset of information in the non-object oriented MIB.

However, Agesen teaches, in an analogous art, a method, apparatus, and article of manufacture for facilitating resource management for applications having two types of program code, which comprises the step of producing an object-oriented interface, for use by an object-oriented application to access the subset of information in the non-object oriented MIB, generating a set of object-oriented classes and object-oriented methods corresponding to the subset of information in the non-object oriented MIB (col. 1, lines 27 – 65; col. 2, lines 8 – 35)

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Henderson by incorporating the step of producing an object-oriented interface, for use by an object-oriented application to access the subset of information in the non-object oriented MIB, generating a set of object-oriented classes and object-oriented methods corresponding to the subset of information in the non-object oriented MIB as evidenced by Agesen for the purpose of allowing applications operating in object-oriented computing environments to access , in an object oriented manner, data in a non-object oriented MIBs, thereby providing a flexible system which can access both types of environments.

Regarding claims 2, 4, 9, 10, 15 and 17, Henderson and Agesen teach all the limitations in claim 1, and Henderson further teaches that information in the non-object oriented MIB corresponds to a set of network parameters organized in a hierarchy and used to describe aspects of the network device and that the relationship among the object-oriented classes is a hierarchy that corresponds to the non-object oriented MIB (col. 7, lines 30 - 56).

### ***Allowable Subject Matter***

Claims 3 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 26 – 30 are allowed.

The reasons for the indication of allowable subject matter will be provided when the application is in condition for allowance.

### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6: 00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yves Dalencourt



January 09, 2006